

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ROGER L. TARRANT, ET AL. §  
v. § CIVIL ACTION NO. 9:07cv80  
UNION PACIFIC RAILROAD COMPANY §

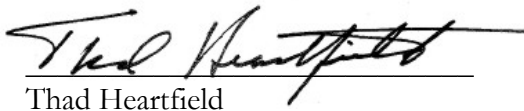
ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The [Report and Recommendation](#) of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of Defendant's Motion for Summary Judgment as to Plaintiff Leonard Arsement has been presented for consideration. The Report and Recommendation recommends that Defendant's Motion for Summary Judgment as to Plaintiff Leonard Arsement ([document #75](#)) be denied. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that Defendant's Motion for Summary Judgment as to Plaintiff Leonard Arsement ([document #75](#)) is **DENIED**.

**SIGNED** this the 19 day of May, 2008.

  
Thad Heartfield  
United States District Judge